

Memorandum of Understanding  
Between  
AFGE Local 2923 and NIEHS  
Pulse Next Steps

Nothing in this MOU modifies or annuls the previous agreements regarding the “Pulse” process unless explicitly stated below.

- 1) The Union shall be allowed at least two (2) members on the Pulse Steering Committee.
- 2) The Agency shall notify lab/branch chiefs to identify action plan (AP) point of contacts (POCs).
- 3) The Union shall receive a copy of the POCs. Any changes to the list shall be promptly provided to the Union, normally within two (2) business days.
- 4) The Agency shall form the NIEHS Work-Life Committee (NWC) logistics/operations subgroup (LOS) to assist in the overall tracking, reporting, and communications.
- 5) The Union shall be allowed at least two (2) members to serve on the NWC/LOS.
- 6) The Union shall provide a list of the designated Union representatives on the Pulse Steering Committee and NWC/LOS within three (3) business days after the Agency has supplied the Union with all the names of the members of all Pulse committees.
- 7) Prior to any formal convening of the above committees the Agency shall provide the Union a list of the employees who have volunteered along with demographic information.
- 8) The Agency shall ensure neutral third-party support for any required facilitation for the action plan development and/or implementation.
- 9) If any facilitation is required to assist the POC in the collection and compilation of action plans, per the January 20<sup>th</sup> MOU, it shall be from outside neutral third parties. If such outside parties are unavailable then internal qualified volunteers shall be used. If neither outside nor inside personnel mentioned above are available then qualified volunteers shall be taken.
- 10) The NWC/LOS will develop guidance for lab/branch AP POCs, which shall consist of:

- Identify the “areas of opportunity” and/or any other areas brought forward for that group.
- Collection of information from employees and managers.
- Focus on specific, measurable actions and resources that can be managed by the lab/branch/office.
- Can include short (1 yr) and long-term completion deadlines.
- For action items that require external resources, action items should take the form of a recommendation.
- AP format: Issue, planned action, deadline, responsible party(ies).
- How to request facilitation.

11) POC's shall be free from coercion, retaliation, and/or discrimination for their participation.

12) The Agency agrees that for internal POC's that duty time will be used for the work related to this Pulse process.

13) As appropriate, workload accommodations shall be made for POC's.

14) POC's will not have to work overtime, comp time, or beyond their regular tour of duty to complete any aspect of the Pulse survey. In the rare event it is necessary that a POC work beyond their regular tour of duty they shall be compensated appropriately in accordance with applicable law, rule, and or regulation.

15) POC's will have no greater influence than any other person on the functional unit. Consensus among groups is encouraged but when there is disagreement a vote may be taken whereby majority rules. Minority opinions and/or comments will be captured.

16) POC's will be directed to submit their action plans to the Union simultaneously as to any others including Management personnel.

17) Participation as a POC is voluntary and would normally not be evaluated in their performance evaluation. However, nothing shall preclude a POC from including this activity in their list of accomplishments as any other type of volunteer activity.

18) The Agency shall ensure that POC's are not intimidated, forced, or pressured in any way to include, change, or delete any aspect of the action plan that they are compiling/drafting.

19) POC's shall keep their PD's and regular work duties intact, which should not be altered with respect to this responsibility.

20) POC's that are recognized for their contributions, i.e. Special Act Awards, etc., shall be done in a fair and equitable manner. The Parties agree that such

awards should be commensurate with awards given to any other employees for similar work or efforts.

- 21) The Union shall be provided each action plan that may impact upon BUE's (or vitally affects any BUE) and permitted to bargain those plans to the fullest extent under the law prior to implementation.

Nothing in this document changes or waives either party's rights.

For the Agency:

/s/ Noreen Gordon  
Labor and Employee Relations Specialist

3 March 2011

For the Union:

/s/ Bill Jirles  
President, AFGE Local 2923

3-3-11